S.B.Civil Revision Petition No.409/2006

Ranu Vinod Sharma.
vs.
Senior Accounts Officer, BSNL.

Date : 5.4.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr. Om Mehta, for the petitioner.
Mr. J Vyas, for the respondent.

- - - - -

Heard learned counsel for the parties.

After going through the reasons given in the impugned order, this Court is not inclined to interfere in the impugned order.

Learned counsel for the petitioner submitted that the petitioner has filed written statement, therefore, an issue be framed with respect to the plea taken by the petitioner/defendant on the ground of limitation.

Looking to the facts of the case, unless complete facts are proved, the question of limitation cannot be decided as preliminary issue because of the facts mentioned in para no.1 of the plaint.

Accordingly, this prayer is also rejected.

In view of the above, this revision petition, having no merit, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya